

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No: 3:07-CR-17
)	(PHILLIPS/GUYTON)
NOAH TIPTON,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter is before the Court for consideration of Defendant's Request for Disclosure of Exculpatory Evidence [Doc. 16] filed on May 8, 2007.

In his motion [Doc. 16], Defendant makes a formal request for any evidence within the possession, custody or control of the government, or that by the exercise of reasonable diligence may be obtained by the government, that is favorable to or exculpates Defendant in any way, that tends to establish a defense in whole or in part to the allegations in the indictment, or that may help Defendant avoid conviction or mitigate punishment. As Defendant correctly notes, the Court has already ordered the government to provide exculpatory evidence in its Order on Discovery and Scheduling [Doc. 9]. Additionally, Defendant asserts that he does not ask the Court for any action or ruling on this Request.

Accordingly, to the extent this Request [**Doc. 16**] can be construed as a motion, it is
DENIED as moot.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge